

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON APRIL 28, 2010, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, EDWIN H. HUMPHREY, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE SPC JOHN TUERCK OF THE UNITED STATES ARMY TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.**

**LET THE RECORD SHOW:** The Board of County Commissioners presented SPC John Tuerck of the United States Army, who has returned home from his second tour of duty, with a Certificate of Appreciation honoring him for his courageous commitment to our country while serving in Operation Enduring Freedom. The Board commended his bravery and dedication to the cause of freedom. SPC Tuerck was also presented a Congressional Proclamation from Steve Caraway, on behalf of Congresswoman Jean Schmidt, honoring him for his service to our country and welcoming him home.

**LET THE RECORD SHOW:** Sharon Woodrow, Superintendent, Clermont County Board of Developmental Disabilities, addressed the Board of Commissioners introducing Matt Van Sant, President, Clermont Chamber of Commerce, and Kimberly Szaz, Early Intervention Program Supervisor, Clermont County Board of Developmental Disabilities. Ms. Woodrow thanked the Board of County Commissioners for their support and asked the taxpayers to open their hearts and vote for the upcoming proposed replacement tax levy in the amount of 0.90 mills on May 4<sup>th</sup>. Mr. Van Sant stated that the Clermont County Chamber of Commerce voted to endorse the proposed tax levy. He further indicated that the Chamber has built a relationship with the Clermont County Board of Developmental Disabilities utilizing individuals to assist them with various tasks. Ms. Szaz introduced Keith Rentz and his 15 month old son, Aidan, who was born with Down syndrome. Mr. Rentz gave testimony to the assistance and encouragement that he and his family have received from the Clermont County Board of Developmental Disabilities. He also encouraged taxpayers to vote for the proposed upcoming tax levy so that his family, as well as others, can continue to receive the support and encouragement they need from the Clermont County Board of Developmental Disabilities. (DC# 10-0202-001)

**IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATION... "A DAY OF PRAYER" IN CLERMONT COUNTY, OHIO...10-0422-001...ADOPTED**

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating May 6, 2010, to be "A Day of Prayer" in Clermont County, Ohio.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 56-10/PAYMENT OF BILLS...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **56-10** resolving to approve payment to vendors listed on the General Ledger Distribution Report(s) presented by the County Auditor 04/28/2010 in the revised total amount of \$2,941,231.17, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 57-10/PAYMENT OF BILLS...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **57-10** resolving to approve payment to vendors included on the General Ledger Distribution Report(s) presented by the County Auditor **04/28/2010** as reflected in the General Ledger Distribution Excerpt Report and/or approved by the County Auditor, **in the amount of \$1,715.07**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Abstained.

**IN RE: TREATMENT ALTERNATIVES TO STREET CRIME...GRANT APPLICATION FOR CONTINUED STATE FUNDING ASSISTANCE THROUGH THE OHIO DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES (ODADAS) FOR THE PROJECT ENTITLED CLERMONT COUNTY TASC/TREATMENT ALTERNATIVES TO STREET CRIME FOR STATE FISCAL YEAR 2011...10-0422-004...RATIFIED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Dee Hargitt, Director, Treatment Alternatives to Street Crime, with the concurrence of David L. Spinney, County Administrator, to approve and authorize execution and submittal of a Grant Application for continued state funding assistance through the Ohio Department of Alcohol and Drug Addiction Services (ODADAS), 280 North High Street, 12<sup>th</sup> Floor, Columbus, Ohio 43215-2550 for the project entitled Clermont County TASC/Treatment Alternatives to Street Crime, State Grant Number 13-2960-TASC-O-10-9178, in the amount of \$172,931.00, with a local cash match of \$28,500.00 to be provided from the General Fund, for a total program budget of \$201,431.00, effective for the period 07/01/10 through 06/30/11, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/CHILD SUPPORT ENFORCEMENT DIVISION...AMENDMENT TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH COURTVIEW JUSTICE SOLUTIONS, INC. FOR THE PROVISION OF SERVICES FOR SAME...10-0309-001...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute an Amendment to the

Contract for Professional Services by and between the County of Clermont, Ohio, and CourtView Justice Solutions, Inc., 5399 Lauby Road, Suite 200, North Canton, Ohio 44720, Remittance Address: P. O. Box 202522, Dallas, Texas 75320-2522, for the purpose of providing enhancements to the CourtView Case Management System (CMS) Application in use in Clermont County Juvenile Court, in accordance with the Statement of Work identified as Exhibit A attached thereto and made a part thereof, which will include new data elements that are essential to increase the automation options available to the SETS application in use by the Clermont County Department of Job and Family Services/Child Support Enforcement Division and to provide a series of newly written reports that are designed to furnish the Clermont County Department of Job and Family Services/Child Support Enforcement Division with information that is assembled from the Clermont County Juvenile Court's Case Management System (CMS), previously ratified by the Board of County Commissioners on 03/10/10, *for the purchase of ten (10) additional licenses and software maintenance therefore*, in the amount of \$32,675.00, for a total revised estimated amount not to exceed \$192,664.00, with all other terms and conditions of the original contract to remain in full force and effect and *contingent upon the issuance of a purchase order therefore.*

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 60-10/RESOLUTION FINDING THAT OAKS OF EASTGATE, LLC. FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE AND MAINTENANCE BOND DATED THE 7<sup>TH</sup> DAY OF OCTOBER 2005 SECURED BY A CASHIER'S CHECK NO. 50154 FROM SPRING VALLEY BANK IN THE AMOUNT OF \$18,000.00 AND AUTHORIZING THAT THIS AMOUNT BE DRAWN FROM THE CONTRACT TRUST FUND AND PLACED INTO THE MOTOR VEHICLE AND GAS FUND FOR COMPLETION OF THE PERFORMANCE BOND...05-1005-002...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **60-10** resolving (1) to certify that Oaks of Eastgate, LLC. has defaulted on the terms and conditions set forth in the Combined Performance and Maintenance Bond secured by Cashier's Check Number 50154 in the amount of \$18,000.00 issued by Spring Valley Bank, Wyoming, Ohio 45215 as Surety for Eastgate Oaks Subdivision located in Union Township, ratified by the Board of County Commissioners on 10/07/05, by failing to perform the completion, construction, repair and maintenance of Eastgate Oaks Drive as shown on Record Plat Number 629-2365 therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by Oaks of Eastgate, LLC. is in the amount of \$18,000.00 and that the County Engineer is hereby authorized and directed to present a certified copy of this resolution to the Clermont County Auditor authorizing the draw of \$18,000.00 from the Contract Trust Fund for deposit into the Motor Vehicle and Gas Tax Fund to be used for the construction and/or maintenance activities required for completion thereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 61-10/RESOLUTION FINDING THAT OAKS OF EASTGATE, LLC. FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE BOND FOR SIDEWALKS**

**DATED THE 7<sup>TH</sup> DAY OF OCTOBER 2005 SECURED BY A CASHIER'S CHECK NO. 50155 FROM SPRING VALLEY BANK IN THE AMOUNT OF \$11,900.00 AND AUTHORIZING THAT THIS AMOUNT BE DRAWN FROM THE CONTRACT TRUST FUND AND PLACED INTO THE MOTOR VEHICLE AND GAS FUND FOR COMPLETION OF THE PERFORMANCE BOND...05-1005-002...ADOPTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **61-10** resolving (1) to certify that Oaks of Eastgate, LLC. has defaulted on the terms and conditions set forth in the Performance Bond for Sidewalks secured by Cashier's Check Number 50155 in the amount of \$11,900.00 issued by Spring Valley Bank, Wyoming, Ohio 45215 as Surety for Eastgate Oaks Subdivision located in Union Township, ratified by the Board of County Commissioners on 10/07/05, by failing to perform the completion, construction, repair and maintenance of sidewalks therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction activities to cure the default by Oaks of Eastgate, LLC. is in the amount of \$11,900.00 and that the County Engineer is hereby authorized and directed to present a certified copy of this resolution to the Clermont County Auditor authorizing the draw of \$11,900.00 from the Contract Trust Fund for deposit into the Motor Vehicle and Gas Tax Fund to be used for the construction activities required for completion thereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY SEWER DISTRICT...PRESENTATION OF THE PROPOSED FIVE YEAR WATERWORKS AND WASTEWATER SYSTEMS CAPITAL IMPROVEMENT PLANS FOR WATER AND SEWER PROJECTS FOR CALENDAR YEARS 2010 THROUGH 2014...10-0416-002 AND 10-0416-003**

Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, presented the annual report of the proposed Five Year Waterworks and Wastewater Systems Capital Improvement Plans for the Clermont County Sewer District for Calendar Years 2010 through 2014. He identified proposed construction and/or design programs for various water and sewer projects, as outlined therein, as well as highlighted the necessity of the proposed projects.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT/COUNTY WATERWORKS SYSTEM...RESOLUTION NUMBER 58-10/ RESOLUTION APPROVING REVISED GENERAL PLANS FOR THE COUNTY WATERWORKS SYSTEM WITHIN THE CLERMONT COUNTY WATER RESOURCES DEPARTMENT FOR PROPOSED IMPROVEMENTS AND EXPANSION PROJECTS AT VARIOUS LOCATIONS SITUATED WITHIN VARIOUS TOWNSHIPS IN THE COUNTY OF CLERMONT, OHIO...10-0416-002...ADOPTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to adopt Resolution Number **58-10** resolving to approve *revised* general plans for the County Waterworks System within the Clermont County Water Resources Department for proposed improvements

and expansion projects at various locations situated within various townships in the County of Clermont, Ohio, and as more particularly described in the 5 Year Waterworks Capital Improvement Plan (2010-2014) attached thereto as Exhibit A and made a part thereof; resolving to authorize and direct the Clermont County Water Resources Department to perform or have performed preliminary and design engineering, preparation of detailed plans, specifications, contract documents, and estimates of cost for proposed improvements and expansion projects; and further, resolving to authorize the Clermont County Water Resources Department, its employees or agents, to enter onto private and/or public properties to be affected by the proposed improvements and expansion projects after sufficient notice to owners and/or persons in possession or control of such properties, to perform soil investigations, surveys, appraisals, or other examinations as deemed necessary in order to finalize said preliminary or design engineering, preparation of detailed plans, specifications, contract documents, acquisition of necessary rights-of-way, and estimates of cost, pursuant to and in compliance with Chapter 6103 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT/COUNTY WASTEWATER SYSTEM...RESOLUTION NUMBER 59-10/ RESOLUTION APPROVING REVISED GENERAL PLANS FOR THE COUNTY WASTEWATER SYSTEM WITHIN THE CLERMONT COUNTY WATER RESOURCES DEPARTMENT FOR PROPOSED IMPROVEMENTS AND EXPANSION PROJECTS AT VARIOUS LOCATIONS SITUATED WITHIN VARIOUS TOWNSHIPS IN THE COUNTY OF CLERMONT, OHIO...10-0416-003...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to adopt Resolution Number **59-10** resolving to approve *revised* general plans for the County Wastewater System within the Clermont County Water Resources Department for proposed improvements and expansion projects at various locations situated within various townships in the County of Clermont, Ohio, and as more particularly described in the 5 Year Wastewater Capital Improvement Plan (2010-2014) attached thereto as Exhibit A and made a part thereof; resolving to authorize and direct the Clermont County Water Resources Department to perform or have performed preliminary and design engineering, preparation of detailed plans, specifications, contract documents, and estimates of cost for proposed improvements and expansion projects; and further, resolving to authorize the Clermont County Water Resources Department, its employees or agents, to enter onto private and/or public properties to be affected by the proposed improvements and expansion projects after sufficient notice to owners and/or persons in possession or control of such properties, to perform soil investigations, surveys, appraisals, or other examinations as deemed necessary in order to finalize said preliminary or design engineering, preparation of detailed plans, specifications, contract documents, acquisition of necessary rights-of-way, and estimates of cost, pursuant to and in compliance with Chapter 6117 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 62-10/AUTHORIZATION TO EXECUTE AND FILE AN APPLICATION FOR FUNDING FOR PROPOSED IMPROVEMENTS TO THE**

**CLERMONT COUNTY AIRPORT IN CONJUNCTION WITH THE OHIO  
DEPARTMENT OF TRANSPORTATION AIRPORT GRANT PROGRAM  
FOR FISCAL YEAR 2011...10-0427-002...ADOPTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to adopt Resolution Number **62-10** authorizing the execution and filing of an Application for funding, including all understandings and assurances relative thereto, with the Ohio Department of Transportation, 2829 West Dublin-Granville Road, Columbus, Ohio 43235-2786 to provide funding for overlay and repair of runway at the Clermont County Airport, in conjunction with the Ohio Department of Transportation Airport Grant Program for Fiscal Year 2011, in the amount of \$120,000.00, with a local match in the amount of \$34,145.00 from the Airport Improvement Fund, for a total project amount of \$154,145.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Work Session of **03/29/10** carried with Commissioners Croswell and Humphrey voting affirmatively thereon. Commissioner Proud abstained.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **04/28/10** carried with all members present voting affirmatively thereon.

**IN RE: ADJOURNMENT...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:51 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT  
EDWIN H. HUMPHREY, VICE PRESIDENT  
R. SCOTT CROSWELL III, MEMBER**

**JUDITH KOCICA, CLERK OF THE BOARD**

**DATE APPROVED – 04/28/10**